

January 29, 2009

E-19J

William E. Butler  
U.S. Army Corps of Engineers  
1776 Niagara Street  
Buffalo, New York 14207-3199

Re: Draft Lorain Harbor Dredged Material Management Plan (DMMP) and Environmental Impact Statement (EIS), Lorain County, Ohio  
EIS No. 20080508

Dear Mr. Butler:

In accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act, we have reviewed the above-mentioned document, which presents the plan of the U.S. Army Corps of Engineers (USACE), Buffalo District, for maintenance dredging and disposal of dredged materials for the Lorain Harbor, Ohio federal navigation project.

Nine individual measures and 10 sub-measures were identified and assessed to produce 4 alternatives for detailed analysis to fulfill the need for the continued operation and economic viability of Lorain as a commercial navigation port on the Great Lakes. The Draft DMMP and EIS indicate the tentatively-selected plan is Alternative 3. Alternative 3 consists of three components to dispose of dredged materials: 1) a Fill Management Plan enabling USACE to operate the Confined Disposal Facility at Lorain Harbor for three additional biennial dredging cycles through 2013, 2) open-lake placement of sediments dredged downstream of river mile 2, and 3) placement of sediment dredged upstream of river mile 2 from 2014-2028 at a 130-acre brownfield located south of the turning basin in the Federal Channel. This brownfield site has the capacity to accept all sediment dredged from the Federal Channel from 2014-2028, if Ohio EPA amends the Section 401 Water Quality Guidelines within the study period to eliminate open-lake placement.

Based on our review of the Draft DMMP and EIS, we have assigned a rating of "Lack of Objections" to this document. A summary of the rating system used in the evaluation of this document is enclosed for your reference. We have no substantive comments on the preferred action; it fulfills the purpose and need for the project as stated in the document and minimizes the amount of open-lake dredged material placement by utilizing a brownfield site.

We support the selection of the tentatively-selected Alternative because it decreases the amount of dredged materials that will be disposed in the open-lake placement site. We encourage USACE to explore creative financing options with state, federal and/or private partners to reduce the cost of using the brownfield site for disposal of 100% of the non-contaminated sediments.

Please send one copy of the Final DMMP and EIS to my attention at the address listed on the letterhead. Should you have any questions, please do not hesitate to contact me or Kathleen Kowal of my staff at (312) 353-5206.

Sincerely,

*/s/ Kenneth A. Westlake 1/29/09*

Kenneth A. Westlake, Supervisor  
NEPA Implementation  
Office of Enforcement and Compliance Assurance

Enclosure – Summary of Rating Definitions